

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 10/23/02 Item 4a.

File Number
SF 02-031

Application Type
Single-Family House Permit

Council District
06

Planning Area
Central

Assessor's Parcel Number(s)
261-16-024

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Elena Lee

Location: 619 Chapman Street

Gross Acreage: 0.17

Net Acreage:

Net Density: 8 DU/AC

Existing Zoning: R-1-8 Residence

Existing Use: Single-family detached residence

Proposed Zoning: No Change

Proposed Use: New single-family detached residence with overall height of 32'-6"

GENERAL PLAN

Completed by: EL

Land Use/Transportation Diagram Designation
Medium Low Density Residential (8.0 DU/AC)

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: EL

North: Single-family detached residential and duplex

R-1-8 Residence

East: Single-family detached residential

R-1-8 Residence

South: Single-family detached residential

R-1-8 Residence

West: Single-family detached residential

R-1-8 Residence

ENVIRONMENTAL STATUS

Completed by: EL

☐ Environmental Impact Report found complete
☐ Negative Declaration circulated on
☐ Negative Declaration adopted on

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: EL

Annexation Title: College Park/Burbank

Date: December 8, 1925

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Approval
☐ Approval with Conditions
☒ Denial
☐ Uphold Director's Decision

Date: _____

Approved by: _____
☐ Action
☐ Recommendation

CONSULTANT

OWNER/DEVELOPER

TDS Architects
Attn: Brian Mah
2060 Clarmar Way
San Jose, CA 95126

James and Caroline Owen
619 Chapman Street
San Jose, CA 95126

Department of Public Works

None received.

Other Departments and Agencies

None received

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant is requesting a Single-Family House Permit to allow the demolition of an existing 936 square-foot house and the construction of a new 2,538 square-foot, two-story single-family detached residence with a 440 square foot detached garage in the R-1-8 Residence Zoning District. The proposed house would have an overall height of approximately 32 feet 6 inches and a floor area ratio (FAR) of 0.34. The Zoning Code requires a Single-Family House Permit for a new or expanded single-family residence when the new building: (1) will have a Floor Area Ratio greater than 0.45; (2) will exceed two stories or 30 feet in height; or (3) is a designated City Landmark, listed on the Historic Resources Inventory or located in a Historic District or Conservation Area. A Single-Family House Permit is required for this application because the height of the new house exceeds 30 feet. City approval is required for Single-Family House Permits where the proposed house or addition is taller than 30 feet or two stories.

The site is surrounded by single-family detached residential uses on the south, east and west. There are single family detached residences and a duplex to the north.

ENVIRONMENTAL REVIEW

The proposed project is exempt from environmental review under Section 15301 of the California Quality Act Guidelines because it consists of construction of a single-family structure.

GENERAL PLAN CONFORMANCE

The proposed single-family residential use is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Medium Low Density Residential (8.0 DU/AC).

ANALYSIS

The primary concern with the proposed development are conformance with the *Single-Family Design Guidelines* and conformance to the zoning code. The *Single-Family Design Guidelines* were adopted by City Council on December 14, 1999, to guide the design of new homes and additions to enhance the character, stability, integrity, and appearance of existing single-family neighborhoods. The *Guidelines* go beyond the basic requirements of the Zoning Code and provide design direction to ensure that new or enlarged single-family residences are compatible with their surrounding neighborhood in terms of scale and architectural style, and that the design elements are true to the overall style of the house.

Conformance with Single Family Design Guidelines. The *Design Guidelines* state that the height of new houses and additions should be limited to 30 feet except in specific circumstances. As explained below, the proposed project does not exhibit or conform to any of these circumstances:

1. *There is a predominant block pattern of houses, which are more than 30 feet tall, and the new house or addition is no taller than the block average of heights, which are above 30 feet and below 35 feet.*

The existing neighborhood consists of one- and two-story single-family residences, the majority of which are less than 30 feet in height. As proposed, the house would clearly be the tallest residence on the block. There is only one other residence on the block, located four parcels south of the site (1304 Randol Ave.), that appears to be close to the height proposed by this application. The block average is clearly below 30 feet on both sides of Chapman.

2. *Both of the adjacent buildings are more than 30 feet tall and the new house is no taller than the tallest of the adjacent houses.*

The two adjacent houses are both considerably less than 30 feet in height and have only partial second floors. At the height of 32.5 feet, the new home would be substantially taller than the neighboring houses.

3. *The new construction is an addition which adds a minor amount of mass above 30 feet to a house which is already more than 30 feet tall, primarily for consistency with the architectural style, ceiling height of roof characteristics of the existing house.*

The existing house is one-story with a shallow- to moderate- pitched roof, built more in the minimal traditional and craftsman style. The applicant proposes to demolish the existing house and build a new two-story residence. The new design proposes a substantially different style with a much more steeply-pitched roof.

4. *The house is located in a flood plain which requires that occupiable space be elevated a foot or more above grade level for flood protection purposes.*

The project site is not located in a known flood plain. Occupiable space is not required to be elevated for flood protection purposes.

5. *The architectural style of the house is a traditional one that is characteristically tall, for example, Victorian, Classic Box, "Sea Ranch", etc.*

The architectural style of the house is similar to the builder contemporary style; however, it includes some detailing associated with the traditional craftsman style. The builder contemporary style, which encompasses a variety of styles, is not a traditional style and does not provide justification for additional height. The craftsman style is traditional, but is not characteristically tall. Relatively low-pitched roofs typical of the style generally result in lower building heights. A reduced roof pitch would lower the height of the proposed residence and more accurately reflect the traditional craftsman style.

6. *The house is located on a large lot and has minimum side setbacks of 25 feet and a minimum rear setback of 50 feet.*

At approximately 7405 square feet, the subject lot is not unusually large. The project includes a side setback of two to five feet. Due to the narrow 50-foot lot width, side setbacks of 25 feet are not feasible for this site.

Conformance with Zoning Code. The project meets all R-1-8 Residence Zoning District standards with the exception of the side setback on the north side of the property. The Zoning Ordinance requires a minimum side setback of 5 feet. Section 20.30.400 states that setback areas shall be kept open and unobstructed, with the exceptions of architectural features, such as eaves, bay windows or chimneys. Such architectural features may project horizontally a maximum of two feet into any setback area, provided that these extensions maintain a minimum side setback of 3 feet. As proposed, the eaves and chimney extend 3 feet into the side setback area, leaving only 2 feet of unobstructed setback space. If the City Council wishes to approve this Single Family House Permit, plans will need to be revised to conform to the side setback requirements.

CONCLUSION

The *Single-Family Design Guidelines* provide direction to ensure that new or expanded single-family residences subject to a Single-Family House Permit are compatible with their surrounding neighborhood. To this end, the *Guidelines* limit height to 30 feet except in unique circumstances that do not apply to the current application. Staff does not believe that the application, as proposed, can be found consistent with *the Single-Family Design Guidelines* or compatible with the neighborhood. A conditional approval requiring a 2.5-foot reduction in the building height would be staff's preferred recommendation; however a 2.5-foot reduction in the height of the house would eliminate the requirement for a Single-Family House Permit. Based on this analysis, staff believes that the permit should be denied.

RECOMMENDATION

The Planning Staff recommends that the Planning Commission recommend to the City Council that the requested Single-Family House Permit be denied because it is not consistent with the Single-Family Design Guidelines and is not compatible with the surrounding neighborhood.